

**PROVIDING FOR CONSIDERATION OF H.R. 11153, RECLAMATION SAFETY OF DAMS ACT OF 1978**

Mr. MEEDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1424 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1424

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11153) to authorize the Secretary of the Interior to construct, restore, operate, and maintain new or modified features at existing Federal reclamation dams for safety of dams purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. EVANS of Colorado). The gentleman from Washington (Mr. MEEDS) is recognized for 1 hour.

Mr. MEEDS. Mr. Speaker, I yield the usual 30 minutes for the minority to the distinguished gentleman from Maryland (Mr. BAUMAN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1424 is the rule providing for the consideration of the bill H.R. 11153, Safety of Federal Reclamation Dams.

This is a simple 1-hour, open rule with no waivers of points of order. It provides for the consideration of the bill, H.R. 11153, to authorize appropriations to the Secretary of Interior and the Bureau of Reclamation. The purpose of this authorization is that the Bureau of Reclamation may perform structural modification to dams and related facilities under their jurisdiction to assure the safety of those facilities from failure.

Mr. Speaker, I support the rule and urge the adoption of House Resolution 1424 in order that H.R. 11153 may be considered.

Mr. BAUMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1424 provides 1 hour of debate for the consideration of H.R. 11153. This piece of legislation authorizes the Secretary of the Interior to construct, restore, operate, and maintain new or modified features at existing Federal reclamation dams for safety of dams purposes. This bill establishes a program and will authorize appropriations by means of which the Secretary of the Interior, acting through the Bureau of Reclamation, may perform structural modifications to dams and related facilities under the

jurisdiction of the Bureau of Reclamation to assure their safety from failure. The Rules Committee has granted an open rule for the consideration of this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. MEEDS. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**PROVIDING FOR CONSIDERATION OF H.R. 12533, INDIAN CHILD WELFARE ACT OF 1978**

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1374 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1374

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12533) to establish standards for the placement of Indian children in foster or adoptive homes, to prevent the breakup of Indian families, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule and said substitute shall be read for amendment by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 12533, the Committee on Interior and Insular Affairs shall be discharged from the further consideration of the bill S. 1214 and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and to insert in lieu thereof the provisions contained in H.R. 12533 as passed by the House.

The SPEAKER pro tempore. The gentleman from California (Mr. SISK) is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Maryland (Mr. BAUMAN), pending which I yield myself such time as I may consume.

Mr. Speaker, H.R. 12533 establishes minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes and institutions.

This is an open rule providing for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs. It shall be in order to consider the amendment in the nature of a substitute recommended by the committee on Interior and Insular Affairs. It also provides for one motion to recommit with or without instruction.

The rule also provides that after the passage of the bill (H.R. 12533) it will be in order to call up the companion bill referred from the other body (S. 1214) and insert the text of the House-passed bill. This is a routine procedural motion, normally handled by unanimous consent, which expedites conference considerations of the legislation. In addition, the rule provides that the bill be read for amendment by titles instead of by sections.

Mr. Speaker, the purpose of this bill, H.R. 12533, is to protect the interest of Indian children. The bill promotes the stability and security of Indian tribes and families by establishing minimum Federal standards for the removal of Indian children from their families and the placement of children in foster or adoptive homes or institutions. The unique values of Indian culture will be reinforced and preserved by allowing children to remain with their own people.

The separation of Indian children from their families is perhaps the most tragic and destructive aspect of American Indian life. Indian children are being removed from their families to be placed in adoptive care, foster care, special institutions and Federal boarding schools at rates grossly disproportionate to non-Indian rates. Studies conducted by the Association of American Indian Affairs conclude that 25 to 35 percent of all Indian children are now separated from their families. My colleagues, the problem is getting worse and the figures are shocking.

Mr. Speaker, this particular piece of legislation was originally considered in 1974. The 93d, 94th and the 1st session of the 95th Congress convened and adjourned, thus leaving American Indian children to suffer the hardship of displacement.

Mr. Speaker, I strongly believe that this resolution before us is both extremely necessary and constitutional. The Indian welfare crisis will continue until we as legislators begin to realize and appreciate the importance of preserving American Indian culture. We can no longer neglect or ignore the cultural values and social norms of American Indians who are continuously struggling to "save the children."

Mr. Speaker, I request that we adopt the rule for House Resolution 1374 so that we may proceed with the consideration of the Indian Child Welfare Act.

Mr. BAUMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from California has given his usual excellent elucidation on this rule.

Mr. Speaker, House Resolution 1374 is an open rule which provides 1 hour of

general debate for the consideration of H.R. 12533. H.R. 12533 establishes standards for the placement of Indian children in foster or adoptive homes and seeks to prevent the breakup of Indian families.

The rule further provides that the committee amendment is in order as an original bill for the purpose of amendment. According to the rule the bill is also to be read for amendment by titles instead of by sections. Additionally, the rule provides for one motion to recommit with or without instructions.

Finally, House Resolution 1374 provides that after the passage of H.R. 12533, the Committee on Interior and Insular Affairs shall be discharged from further consideration of the bill S. 1214. It shall then be in order in the House to move to strike out all after the enacting clause of S. 1214 and insert in lieu thereof the provisions contained in H.R. 12533 as passed by the House.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### CONFERENCE REPORT ON H.R. 12605, LONG-TERM FINANCING FOR CORPORATION FOR PUBLIC BROADCASTING

Mr. VAN DEERLIN. Mr. Speaker, I call up the conference report on the bill (H.R. 12605) to amend the Communications Act of 1934 to extend and improve the provisions of such act relating to long-term financing for the Corporation for Public Broadcasting and relating to certain grant programs for public telecommunications, and for other purposes. The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of October 12, 1978.)

The SPEAKER pro tempore. Under the rule previously adopted, the conference report is considered as having been read.

The gentleman from California (Mr. VAN DEERLIN) will be recognized for 30 minutes, and the gentleman from California (Mr. MOORHEAD) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. VAN DEERLIN).

Mr. VAN DEERLIN. Mr. Speaker, I yield myself such time as I may consume. I am pleased to bring to the House a conference report on the bill H.R. 12605 relating to long-term financing for the Corporation for Public Broadcasting and relating to certain other grant programs for public telecommunications. The conference report leaves intact almost all of the provisions of H.R. 12605 as passed by the House. This includes authorization ceilings for the Corporation for Public Broadcasting of \$180 million in fiscal year 1981, \$200 million in fiscal year 1982, and \$220 million in fiscal year 1983. The 3-year advance authorization represents a reaffirmation of the congressional commitment to

long-term funding of the public broadcasting system.

In addition, the conferees agreed to the reduction in the matching formula which was passed by the House. The current formula provides that for every \$2.50 in non-Federal support raised by public broadcasting entities, the Federal Government will contribute \$1, up to the authorization level. The House bill, and now the conference report, would lower the match to \$2—non-Federal—to \$1—Federal. The purpose of lowering the match is to alleviate the stations' local fund-raising burden while maintaining the incentive for increasing local support.

The conferees also agreed to the House provision that recognized the growing needs of our public radio system. Until just recently, the educational broadcast facilities program allocated a very small portion of its funds to radio expansion and development with the result that public radio now reaches only about 40 percent of American homes. In order to improve this record, the House bill required that 25 percent of the facilities funds be available for radio expansion, and that the Corporation for Public Broadcasting increase its contribution to radio accordingly. The conference report replaces the specific percentage requirement with the words "a substantial amount" since the conferees believed that the administrators of the facilities program should have some discretion in the allocation of funds. However, the explanatory statement of the managers does make it clear that we expect that radio will continue to receive approximately the percentage that it has received for the last 2 years; in other words, about 25 percent.

The conferees also agreed to:

First. The House provision limiting the salaries of officers of CPB, PBS, and NPR to not more than that of Cabinet level officers, with an amendment grandfathering the salaries of current officers;

Second. The House provision requiring CPB to use panels of experts to evaluate program proposals, to the extent practicable;

Third. The House provision requiring the stations to establish community advisory boards;

Fourth. The House provision permitting the stations to include a limited portion of volunteer services as non-Federal income for purposes of the match, following the adoption of valuation standards by the corporation; and

Fifth. The House provision requiring that CPB allocate a significant portion of its funds to program production and acquisition, and reserve a substantial amount for distribution to independent producers.

The conferees adopted strong compromise provisions pertaining to open meetings, financial management and audits, and EEO requirements. For the most part, these provisions track those passed by the House, but clarify the applicability and terms of the provisions.

The conferees also agreed to several provisions contained in the Senate

amendment to the House bill. These include provisions which extend the authorization for the HEW telecommunications demonstration program for 3 years, require NTIA to submit an annual report to Congress, and require each facilities grant recipient to keep a complete and itemized inventory of all telecommunications facilities under its control.

The conference agreement does not include two provisions that were contained in the House bill. The first provision added five new criteria for determining the amount of the incentive portion of the community service grants that CPB gives directly to public television stations. The new criteria included the encouragement of community responsiveness, cost efficiencies, volunteer programs, training programs for women and minorities, and innovative approaches to reaching new audiences. The conferees felt that although the criteria represented laudable goals for the system to achieve, they might be difficult to apply uniformly as a matter of law, in determining the amount of funds to be distributed to each station. The proposed criteria are cited in the statement of managers as goals for the system.

The conference committee also agreed to the deletion of the provision in the House-passed bill which would have eliminated the current ban on editorializing by public broadcast stations, and the existing requirement that stations keep audiotapes of programs in which issues of public importance are discussed. The House bill replaced these provisions with a more narrow prohibition against support or opposition of political candidates by public broadcasters. I would like to emphasize that the House conferees only agreed to maintaining the existing requirement pertaining to editorializing and taping because it was clear to us that the Senate was firmly opposed to elimination of these provisions at this time. Indeed, the Senate conferees had been instructed by the Senate not to accept the House provision. Therefore, in order to insure that the other important provisions of the bill could be acted upon prior to the adjournment of the Congress, the House conferees agreed to the deletion of our provision. We are nonetheless committed to securing full first amendment freedoms for public broadcasters, and will continue to argue strenuously for the detention of the taping requirement and the editorializing ban in future legislation.

Mr. MOORHEAD of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think the bill has been improved slightly in the conference committee over what it was when it passed the House. Most of the major differences were decided in favor of the House version, but there were some of the criteria for eligibility that had been written in great detail in the House version that would have been difficult for stations throughout the country to follow that were taken out.

I ask for an aye vote.

● Mr. STAGGERS. Mr. Speaker, H.R. 12605, the Public Telecommunications Act of 1978, is an important bill for public telecommunications. The initiative for this bill came from President Carter's legislative proposal (H.R. 9620) which I introduced on October 18, 1977.

I have been deeply interested in broadcasting during my years in Congress. In presenting the first public broadcasting bill on the floor of the House in 1967, I commented that:

When all the factors that have made the 20th century such a great century have been considered and entered on the ledger books of history and a balance struck, I believe that the peculiar mark of this century will be that of wireless broadcasting. Without it, I believe we would be living in an entirely different world today, without a great many of the advances that we have made.

I still believe that today, 11 years later. The conferees preserved many of the substantive points that appeared in the House bill. The conferees report on H.R. 12605, is a fair one from the standpoint of the House and I hope the House will unanimously approve it.●

Mr. VAN DEERLIN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent that all Members may have up to the sine die adjournment date in which to revise and extend their remarks and to include extraneous matter on the subject of the conference report just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### ANNUAL REPORT OF ADMINISTRATOR, NATIONAL CREDIT UNION ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Banking, Finance and Urban Affairs:

*To the Congress of the United States:*

I hereby transmit to the Congress the Annual Report of the Administrator, National Credit Union Administration and an addendum, entitled Annual Report 1977, for the calendar year 1977. This report contains additional information on unsecured loans as requested by the Committee on Banking, Finance and Urban Affairs, House of Representatives, during its consideration of Depository Institutions Amendments of 1977 (Public Law 95-22).

JIMMY CARTER.

THE WHITE HOUSE, October 13, 1978.

#### SEVENTH ANNUAL REPORT ON ADMINISTRATION OF FEDERAL RAILROAD SAFETY ACT OF 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection referred to the Committee on Interstate and Foreign Commerce:

*To the Congress of the United States:*

I transmit herewith the Seventh Annual Report on administration of the Federal Railroad Safety Act of 1970 (84 Stat. 971, 45 U.S.C. 421 et. seq.) as required by that Act. This report has been prepared in accordance with Section 211 of the Act, and covers the period January 1, 1977 through December 31, 1977.

JIMMY CARTER.

THE WHITE HOUSE, October 13, 1978.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2570) entitled "an act to amend the Comprehensive Employment and Training Act of 1973 to provide improved employment and training services, to extend the authorization, and for other purposes."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 7971. An act to validate the conveyance of certain land in the State of California by the Southern Pacific Transportation Co.; and

H.R. 11409. An act to make permanent the existing temporary suspension of duty on certain dyeing and tanning materials.

The message also announced that the Senate agrees to the amendment of the House to the Senate amendment to a bill of the House of the following title:

H.R. 11092. An act to increase the authorization of appropriations under the act of December 22, 1974 (88 Stat. 1712).

The message also announced that the Senate agrees to the amendment of the House to the Senate amendment to a bill of the House of the following title:

H.R. 4319. An act to amend subchapter III of chapter 83 of title 5, United States Code, to provide that employees who retire after 5 years of service, in certain instances, may be eligible to retain their life and health insurance benefits, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to the amendment of the Senate to a bill of the House of the following title:

H.R. 5646. An act to amend the Regional Rail Reorganization Act of 1973 to require ConRail to make premium payments under certain medical and life insurance policies, to provide that ConRail shall be entitled to a loan under section 211(h) of such act in an amount required for such premium pay-

ments, and to provide that such premium payments shall be deemed to be expenses of administration of the respective railroads in reorganization.

The message also announced that the Senate agrees to the amendments of the House with an amendment to a bill of the Senate of the following title:

S. 976. An act to amend the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3946) entitled "An act to suspend for a temporary period the rate of duty on wool not finer than 46s," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. TALMADGE, Mr. MOYNIHAN, Mr. CURTIS, and Mr. HANSEN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2253. An act to amend title 28 of the United States Code to encourage prompt, informal, and inexpensive resolution of civil cases by use of arbitration in U.S. district courts, and for other purposes.

#### HEALTH SERVICES AMENDMENTS OF 1978

Mr. ROGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 12370) to amend the Public Health Service Act and related health laws to revise and extend the programs of financial assistance for the delivery of health services, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. ROGERS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 327, nays 6, answered "present" 1, not voting 96, as follows:

[Roll No. 916]

YEAS—327

Abdnor	Barnard	Breaux
Akaka	Baucus	Breckinridge
Ambro	Bauman	Brinkley
Anderson,	Beard, R.I.	Brodhead
Calif.	Bedell	Brooks
Anderson, III.	Beilenson	Broomfield
Andrews, N.C.	Benjamin	Brown, Ohio
Andrews,	Bennett	Broyhill
N. Dak.	Bevill	Buchanan
Annunzio	Biaggi	Burgener
Archer	Blanchard	Burke, Fla.
Ashbrook	Blouin	Burke, Mass.
Ashley	Boggs	Burleson, Tex.
Aspin	Boland	Burlison, Mo.
AuCoin	Bonker	Butler
Bafalis	Bowen	Caputo
Baldus	Brademas	Carr

Carter	Hightower	Pike
Cavanaugh	Hillis	Poage
Cederberg	Holland	Pressler
Chappell	Hollenbeck	Preyer
Chisholm	Holt	Price
Clausen,	Holtzman	Pritchard
Don H.	Horton	Pursell
Cleveland	Hubbard	Quayle
Coleman	Hughes	Quillen
Collins, Ill.	Ichord	Rahall
Collins, Tex.	Jacobs	Rangel
Conable	Jeffords	Regula
Conte	Jenkins	Reuss
Corcoran	Jenrette	Rhodes
Corman	Johnson, Calif.	Richmond
Cornell	Jones, N.C.	Rinaldo
Cornwell	Jones, Okla.	Roberts
Cotter	Jones, Tenn.	Roe
Coughlin	Jordan	Rogers
Cunningham	Kasten	Roncalio
D'Amours	Kastenmeier	Rose
Daniel, Dan	Kazen	Rosenthal
Daniel, R. W.	Kelly	Rostenkowski
Danielson	Kemp	Rousselot
de la Garza	Keys	Roybal
Dellums	Kildee	Runnels
Dent	Kostmayer	Ruppe
Derrick	Krebs	Ryan
Derwinski	Krueger	Santini
Dewine	LaFalce	Satterfield
Dicks	Lagomarsino	Sawyer
Dingell	Latta	Scheuer
Dodd	Le Fante	Schroeder
Dornan	Leach	Schulze
Downey	Lederer	Sebelius
Drinan	Lent	Seiberling
Duncan, Tenn.	Levitas	Sharp
Edgar	Livingston	Sikes
Edwards, Ala.	Lloyd, Tenn.	Simon
Edwards, Okla.	Long, La.	Sisk
Emery	Long, Md.	Skelton
English	Lundine	Smith, Iowa
Erlenborn	McClory	Snyder
Ertel	McCloskey	Solarz
Evans, Colo.	McCormack	Spence
Evans, Ga.	McDade	St Germain
Evans, Ind.	McEwen	Staggers
Fary	McHugh	Stangeland
Fascell	McKay	Stanton
Fenwick	Madigan	Stark
Findley	Maguire	Steed
Fish	Mahon	Steers
Fisher	Markey	Steiger
Fithian	Marks	Stockman
Flippo	Marriott	Stokes
Flood	Martin	Studds
Florio	Meyner	Stump
Flynt	Michel	Symms
Foley	Mikulski	Taylor
Ford, Mich.	Miller, Ohio	Thompson
Ford, Tenn.	Mineta	Thone
Forsythe	Mimish	Thornton
Fountain	Mitchell, N.Y.	Traxler
Fraser	Moakley	Trible
Frenzel	Mollohan	Tsongas
Fuqua	Montgomery	Udall
Gammage	Moore	Ullman
Garcia	Moorhead,	Van Derlin
Gaydos	Calif.	Vander Jagt
Gephardt	Moorhead, Pa.	Vanik
Gibbons	Mottl	Vento
Gilman	Murphy, Ill.	Volkmer
Ginn	Murphy, N.Y.	Waggonner
Glickman	Murphy, Pa.	Walker
Goldwater	Murtha	Wampler
Gonzalez	Myers, Gary	Watkins
Gore	Myers, John	Waxman
Gradison	Myers, Michael	Weiss
Grassley	Natcher	Whalen
Green	Neal	White
Gudger	Nedzi	Whitley
Guyer	Nix	Whitten
Hagedorn	Nolan	Wilson, Tex.
Hall	Nowak	Wirth
Hamilton	O'Brien	Wolf
Hammer	Oaker	Wright
Hammerschmidt	Oberstar	Wyder
Hanley	Obey	Wylie
Hannaford	Ottlinger	Yates
Hansen	Panetta	Yatron
Harkin	Patterson	Young, Alaska
Harris	Pattison	Young, Mo.
Harsha	Pease	Zablocki
Hefner	Perkins	

NAYS—6

Lloyd, Calif.	McDonald	Mitchell, Md.
Luken	Mattox	Wilson, Bob

ANSWERED "PRESENT"—1

Goodling

## NOT VOTING—96

Addabbo	Flowers	Pepper
Alexander	Fowler	Pettis
Ammerman	Frey	Pickle
Applegate	Gialmo	Quie
Armstrong	Harrington	Rallsback
Badham	Hawkins	Risenhoover
Beard, Tenn.	Heckler	Robinson
Bingham	Heftel	Rodino
Bolling	Howard	Rooney
Bonior	Huckaby	Rudd
Brown, Calif.	Hyde	Russo
Brown, Mich.	Ireland	Sarasin
Burke, Calif.	Johnson, Colo.	Shipley
Burton, John	Kindness	Shuster
Burton, Phillip	Leggett	Skubitz
Carney	Lehman	Slack
Clawson, Del.	Lott	Smith, Nebr.
Cay	Lujan	Spellman
Cochran	McFall	Stratton
Cohen	McKinney	Teague
Conyers	Mann	Treen
Crane	Marlenee	Tucker
Davis	Mathis	Walgren
Delaney	Mazzoli	Walsh
Dickinson	Meeds	Weaver
Diggs	Mikva	Whitehurst
Duncan, Oreg.	Millford	Wiggins
Early	Miller, Calif.	Wilson, C. H.
Eckhardt	Moffett	Winn
Edwards, Calif.	Moss	Young, Fla.
Eilberg	Nichols	Young, Tex.
Evans, Del.	Patten	Zeferetti

So the motion was agreed to.

The result of the vote was announced as above recorded.

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 12370, with Mr. MURTHA in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Wednesday, October 11, 1978, all time for general debate on the bill had expired.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The bill is as follows:

H.R. 12370

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SHORT TITLE; REFERENCE TO ACT

SECTION 1. (a) This Act may be cited as the "Health Services Amendments of 1978".

(b) Whenever in this Act (other than in sections 6, 7, and 9) an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act.

## HEALTH INCENTIVE GRANTS FOR COMPREHENSIVE PUBLIC HEALTH SERVICES

SEC. 2. (a) (1) Section 314(d) (7) (A) is amended by striking out "and" after "1977," and inserting before the period a comma and the following: "and \$103,500,000 for the fiscal year ending September 30, 1979".

(2) Section 314(d) (7) (B) is amended by striking out "and" after "1977," and inserting before the period a comma and the following: "and \$25,000,000 for the fiscal year ending September 30, 1979".

(b) (1) The Congress finds and declares that—

(A) individual health status can be effectively and economically improved through

an adequate investment in community public health programs and services;

(B) the Federal Government and the States and their communities share in the financial responsibility for funding public health programs;

(C) the Federal contribution to funds for public health programs should serve as an incentive to an additional investment by State and local governments;

(D) existing categorical programs of Federal financial assistance to combat specific public health problems should be supplemented by a national program of stable generic support for such public-health activities as the prevention and control of environmental health hazards, prevention and control of diseases, prevention and control of health problems of particularly vulnerable population groups, and development and regulation of health care facilities and health services delivery systems; and

(E) the States and their communities, not the Federal Government, should have primary responsibility for identifying and measuring the impact of public health problems and the allocation of resources for their amelioration.

(2) Effective October 1, 1979, section 314 (d) is amended to read as follows:

## "COMPREHENSIVE PUBLIC HEALTH SERVICES

"(d) (1) The Secretary shall make grants to State health authorities to assist in meeting the costs of providing comprehensive public health services.

"(2) No grant may be made under paragraph (1) to the State health authority of any State unless an application therefor has been submitted to and approved by the Secretary. Such an application shall be submitted in such form and manner and shall contain such information as the Secretary may require, and shall contain or be supported by assurances satisfactory to the Secretary that—

"(A) the comprehensive public health services which will be provided within the State with funds under a grant under paragraph (1) will be provided in accordance with the State health plan in effect under section 1524(c);

"(B) funds received under grants under paragraph (1) will—

"(i) be used to supplement the level of non-Federal funds that would otherwise be made available for the comprehensive public health services for which the grant funds are provided, and

"(ii) not be used to supplant such non-Federal funds,

except that the Secretary may in exceptional circumstances waive clause (i) or (ii) or both clauses;

"(C) the State health authority for which the application is submitted will—

"(i) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds received under grants under paragraph (1);

"(ii) from time to time, as prescribed by the Secretary, report to the Secretary (through a uniform national reporting system and by such categories as the Secretary may prescribe) a description of the comprehensive public health services provided in the State in the fiscal year for which the grant applied for is made and the amount and source of funds expended in that fiscal year and in the preceding fiscal year for the provision of each such category of services; and

"(iii) make such other reports (in such form and containing such information as the Secretary may prescribe) as the Secretary may reasonably require and keep such records and afford such access thereto as the